

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5263 OF 2006

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Office notes, office
memoranda of Coram,
appearances, Court's Court's or Judge's orders.
orders or directions
and Registrar's orders.
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Shri S.P.Thorat for the Petitioners.
Shri G.B.Pawar for the Respondents.

CORAM : ABHAY S.OKA, J.
DATED : FEBRUARY 28, 2007.

P.C.:

1. Heard Advocate for the Petitioners. By this Writ Petition under Article 227 of the Constitution of India, the Petitioners have taken exception to orders passed by the authorities under Maharashtra Land Revenue Code, 1966 in mutation entry proceedings. It is well settled position of law that in proceedings relating to mutation entries the authorities under the said Code cannot decide rights of the parties regarding immovable property. The orders passed by the said authorities are naturally not binding on the Civil Court and the Civil Court can independently decide the issue of title. In this view of the matter, no case is made out for interference. Petition is rejected.

JUDGE